

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

In re Medco/Express Scripts Merger
Litigation

Hon. Dennis M. Cavanaugh

ORDER

Civil Action 2:11-cv-4211(DMC)(MF)

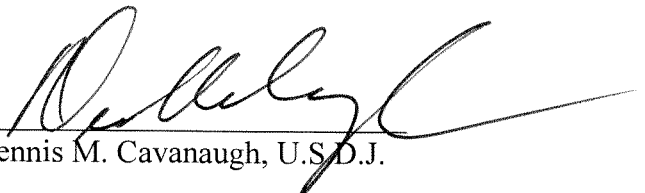
DENNIS M. CAVANAUGH, U.S.D.J.:

This matter having been opened to the Court upon the Motion of Defendants Express Scripts, Inc., Aristotle Holding, Inc., Aristotle Merger Sub, Inc. and Plato Merger Sub, Inc. (Collectively, “Express Scripts”), by and through its counsel, McElroy, Deutsch, Mulvaney & Carpenter LLP, for entry of an Order certifying the September 19, 2011 Opinion and Order for interlocutory appeal pursuant to 28 U.S.C. § 1292(b). The Court having considered the submissions and arguments in support of and in opposition to the Motion; and good cause having been shown,

IT IS on this 2nd day of October, 2011

ORDERED that Express Scripts’ Motion to Certify the September 19, 2011 Opinion and Order for interlocutory appeal pursuant to 28 U.S.C. § 1292(b) is hereby **GRANTED**; and it is further

ORDERED that Express Scripts’ motion to stay proceedings in this action pending resolution of the interlocutory appeal of the September 19, 2011 Opinion and Order is hereby **DENIED**.


Dennis M. Cavanaugh, U.S.D.J.

Dated: October 25, 2011
cc: All Counsel of Record
Hon. Mark Falk, U.S.M.J.
File